

UNAPPROVED

**BOARD OF DENTISTRY
MINUTES OF REGULATORY-LEGISLATIVE COMMITTEE MEETING
Friday, February 27, 2004**

**Department of Health Professions
6603 West Broad Street
Richmond, Virginia 23230-1712**

CALL TO ORDER: A meeting of the Virginia Board of Dentistry's Regulatory –
Legislative Committee was called to order at 9:05 a.m.

PRESIDING: Michael Link, D.D.S., Chairperson

MEMBERS PRESENT: Deborah Southall, R.D.H.
Gary Taylor, D.D.S.

**BOARD MEMBERS
PRESENT:** Trudy Levitin, R.D.H.

**BOARD MEMBERS
ABSENT:** Millard Stith

STAFF PRESENT: Sandra K. Reen, Executive Director
Howard Casway, Senior Assistant Attorney General
Elaine Yeatts, Sr. Policy Analyst
Carmen M. Quinones, Administrative Assistant

QUORUM: With three members present, a quorum was established.

PUBLIC COMMENT **Dr. Edward N. Griggs:** The Board received comments from Dr. Griggs on Emergency Equipment in the office and the importance to the citizens of the Commonwealth. He also addressed the separation of the sedation modalities into three categories, Inhalation Sedation, Enteral and/or Combination Inhalation-External Conscious Sedation and Parenteral Sedation and how all three of these could be listed under the board classification of Conscious Sedation according to definition in Section 60-20-10. Dr. Griggs expressed his concerns with section 60-20-107, Administration of Anxiolysis or Inhalation Analgesia as it is worded. He also addressed the 40 hour course requirement for enteral/inhalation method of conscious sedation. Dr. Griggs would like the Board to consider substituting the Combitube Airway in lieu of the laryngoscope and endotracheal tubes. He would like to recommend that the

regulations require the use of a Pulse Oximeter and Blood Pressure monitoring to assist monitoring patient throughout sedation.

Dr. Robert A. Strauss: Dr. Strauss addressed the Committee on behalf of the Virginia Society of Oral and Maxillofacial Surgeons regarding the safety of office-based anesthesia and recommended several changes to the draft regulations being considered by the Committee. He provided written copy of his comments.

Dr. Jason Goodchild: Dr. Goodchild addressed the Committee on 18 VAC 60-20-120 Conscious Sedation and the 40 hour course requirement, he expressed his concern that the number of hours exceeds what some of the courses are offering. He also discussed the emergency equipment in the dental office and its importance to the safety of the patient.

Dr. Preston Burns: The Committee received oral and written comments and extensive documentation from Dr. Burns, the President of the Virginia Association of Dentists for Intravenous Sedation. He reported his association's objections to proposed education and safety requirements. The proposed regulation 18 VAC 60-20-120-D.

Dr. Tom Watson: Dr. Watson expressed concerns about the proposed regulation on Conscious Sedation.

Dr. Steve Todd: Dr. Todd addressed the Committee about his objection to the change in the CE home study hours. Dr. Todd also expressed his concern to the Oral Conscious Sedation regulations. He would like the Committee to consider not making the requirement so burdensome that general practitioners can not provide general restorative services to people that would not otherwise receive any dental care.

Dr. Todd Winkler: Dr. Winkler addressed the Committee about Conscious Sedation, he agrees that there should be regulations but not so prohibitive that he can not treat his patients.

Dr. Steve Tuttle: Dr. Tuttle is in full support of the changes to the regulations.

APPROVAL OF MINUTES On a properly seconded motion by Dr. Taylor, the Board moved to approve the Minutes of the Regulatory-Legislative Committee Meeting of September 11, 2003.

DISCUSSION: **Petition for Rule:** Dr. Stephanie Sawyer petitioned the board to amend Regulation 18 VAC 60-20-90, to allow a temporary permit to be renewed as long as the holder stays employed with a non-profit organization. Dr. Link indicated that the Committee will address this issue at its April 8, 2004 meeting. Public comments will be accepted on this petition through April 1, 2004

Proposed CE Amendment: Dr. Taylor moved to recommend to the Board that the notice of Intent be withdrawn. The Committee adopted the motion.

Proposed Regulations through Periodic Review: The Committee reviewed the proposed regulations and received numerous recommendations from members of the audience. Ms. Yeatts and Ms. Reen will prepare a revised draft with changes requested by the Committee. The next meeting was set for April 8, 2004. The Committee planned to submit a final proposal for action at the June 18th Board Meeting. Ms. Yeatts presented to the Committee the Board of Medicine's final regulation pertaining to Office-Based Anesthesia.

Update on Legislation: Ms. Yeatts reviewed with the Committee the status of legislation in the 2004 General Assembly that has an impact on dentistry or dental hygiene. She noted that two new statutes will require promulgation of emergency regulation. HB 577 requires regulations that address delegation of disciplinary matters to an agency subordinate. HB 1049 requires regulations for temporary licensure for dental residents.

ADJOURNMENT With all business concluded, the Committee adjourned at 2:25 p.m.

Michael J. Link, Chairperson

Date

Sandra K. Reen, Executive Director

Date